

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.1954 of 2007

IN

WRIT PETITION NO. 6888 of 2004

Office Notes, Office Memoranda of :
Coram, appearances, Court's Orders : Court's or Judges order
or directions and Registrar Orders :

Mr.S.S. Dubey and Y.R. Mishra for applicant

**CORAM : S.B. MHASE &
D.G. KARNIK, JJ.**
DATED : 10th August 2007.

P.C:-

. This civil application is for setting aside the order of dismissal in default and for condoning the delay. The delay has not been sufficiently explained. However in the interest of justice, we allow the civil application subject to costs of payment of Rs.2,000/- to the Maharashtra State Legal Services Authority as condition precedent. Costs shall be paid within two weeks. If costs are not paid within two weeks, petition shall stand dismissed without further reference to the court.

2. Delay is condoned and Civil Application is allowed in terms of prayer clauses (a) and (b) subject to payment of costs as above.

3. Civil Application is disposed of accordingly.

(D.G.KARNIK, J)

(S.B.MHASE, J)